

**White House Conference on Cooperative Conservation
Day 2 Breakout Session Compilation**

Topic: Improving Certainty and Incentives for Stakeholders

Session number: 47

Facilitator: Gregory Bourne

Afternoon

Location: 260

A. Major Repeated Themes Raised in the Discussion. *A grouping of ideas repeated with some frequency in the session and brought up again during the group summation process. Also includes diverging views and/or questions about the topic.*

- Stakeholder involvement, how are they defined?
- Who is a legitimate stakeholder
- Rely on core regulatory programs to provide certainty and incentives
- Interagency cooperation
- Incentive I.D. and Removing disincentives
- Differentiate between public/private incentives
- I.D. more than monetary including social and economic and environmental
- Identify psychological and cultural incentives (in addition to monetary)
- Institutional Certainty (agreements and regulations)
- The next generation of conflict is the 10 – 20 acre landowners within urban fringe who lack incentive packages to pursue cooperative conservation activities
- Need flexibility in existing statutes to achieve cooperative conservation outcomes
- Find Identify the best place for cooperative conservation projects and allocate the money there
- Develop minimum thresholds for incentives and certainty
- The need for a toolbox of incentives that has lots of options and promote awareness

B. National-level Practical Actions *that could be taken by the Federal government, national NGO's, and other national organizations. Diverging views and/or questions are also noted.*

- Success is not equal to the amount of Federal Funding
- Old Regulatory systems brought certainty -Fear this will be lost (i.e. time frames, criteria, enforcement, monitoring)
- “One size does not fit all” certainty and incentives defined locally
- What keeps people at the table? Fear and threats/ regulation
- Fear is the worst incentive (need to define threshold)
- Federal agencies better at civil engineering/ need to improve agency to agency engagement
- Beyond compliance, flexibility becomes imperative and mechanisms created to improve follow through.
- Idea of modifying EAS to allow flexibility
- Encourage more cooperation at the federal and local level

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- Clear consistent communication among and between agencies
- Maintaining core regulatory programs, look for opportunities to go beyond
- Create agency/ personnel incentives that foster initiative cooperative conservation efforts

C. **Local-level Practical Actions** *that could be taken at the local or community level by Tribes, state and local communities, private citizens, and local organizations. Diverging views and/or questions are also noted.*

- Tax credits
- Common Vision
- Continuity of participation
- Locally institutionalized resources
- Enhancing civic engagement
- Valuing ecosystems services (i.e. North East Ohio and municipal canopy stewardship programs)
- Developing core competencies for teams to manage themselves effectively (how to operate as team and issue based knowledge)

Particularly insightful quotes from participants that capture the essence of key points made during the group's discussion

“It is usually pain avoidance that brings me to the table”

“Certainty sounds like a snowball in Phoenix”

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Session number: 47

Facilitator: Frank Dukes

Afternoon

Location: 261

A. Major Repeated Themes Raised in the Discussion

- Flexibility on the part of agencies is key. And has kept people at the table. Too much emphasis on certainty that a creative alternative has to work before it's tried can stifle innovation.
- Agencies should focus on sharing conservation goals locally so that landowners & stakeholders can come up with a menu of options for implementation that will work and even exceed goals. Then support these practices with technical assistance and monitoring for feedback and accountability.
- The high level of Department support for locally driven collaborative solutions is encouraging, but there is a disconnect to making it happen between and within Departments and agencies.
- Legislators and elected officials can be key in supporting processes that develop local solutions rather than fixing it themselves.
- Some incentives work because the regulatory hammer is behind it.
Example: ESA and Safe Harbors work to provide increased certainty over time.
Other programs just focus on incentives. Example: CREP.
- Sometimes state and local governments can be a barrier to locally and collaboratively designed solutions if they don't provide for a participatory process. This can be a problem when Federal programs are delivered through state and local governments and can impede local access and dialogue with federal agencies.
- Private forest owners struggle with trying to knit together the array of different programs between NRCS, Forest Service, Department of Interior and EPA, but these departments and agencies don't talk to each other. Program delivery is too fragmented. Stakeholders can contribute to this problem because they may not want to share their programs with other stakeholders. Example: Agricultural constituents don't want to share their programs with forest owners or vice versa.
- Program fragmentation and agency territories don't create certainty and are a major disincentive.
- Certainty is still illusive. We invest a lot of time up front in collaboration & manage to create agreements among diverse parties, but it can still be easily derailed by special interest groups when an issue goes national and is then subject to politics or courts.
- Need a better language for incentives to distinguish between different types of incentives.
- Sometimes it's better for agencies to just say NO rather than MAYBE when you'd like to say NO. However, others think that the public gives up too early.

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B. National-level Practical Actions

- Implement the cooperative of the 2002 Farm Bill that already gives authority to coordinate programs and design or tailor programs to meet local conservation needs. I.e. why is it not being implemented?
- Establish or empower CEQ to establish a federal environmental council to mediate and develop mechanisms for interdepartmental long range conservation goals for the country and to reduce fragmented delivery of programs for these goals. A Diverging view of the role of this council is to target particular problem areas that keep coming up in states and communities rather than remain at the general or programmatic level.
- Work in partnership with the IRS to achieve cooperative conservation. Tax codes and audit guides can have a dramatic effect on the ability to meet conservation goals. Examples of goals included fragmentation of open space and energy conservation. At the local level, also include state tax organizations and law.
- Focus on setting up or using existing processes that design local solutions or prevent further problems rather than legislating or institutionalizing solutions that may have worked some place else.. These processes must include the following: inclusive processes for all stakeholders involved, transparent process, provide accountability (produce a better environmental result than current processes), and have clear goals.
- The above have to be combined with incentives for agencies to support these processes and create institutional change, recognize and reward agencies and individuals that support these processes across state, local and federal agencies.
- Provide training for collaborative problem solving within state local & federal agencies.
- Create “ombudsmen” within agencies and Departments for unsticking projects and collaborative innovations. This position must be at a high enough level to help overcome inertia within the organization.
- Develop a working group between agencies to strategize ways of implementing NEPA that includes adaptive management.
- Use funding as an incentive by expanding the model of Conservation Security Program to fund projects that have cooperation and collaboration in place and have demonstrated ability to work together. Some funding could be set aside to prepare communities for this type of readiness. If sustained over a period of time, more projects will demonstrate readiness and manage situations with increasing levels of conflict.

C. Local-level Practical Actions.

- Local communities should ask for & set up integrated meeting with federal agencies and state and local agencies.
- Be more strategic about where and when you use collaboration and design the process well to create more certainty. This dialogue should happen at the local level between various agencies and stakeholders. A third party may be useful for facilitating this dialogue and validating the best opportunities for collaboration.
- Be clear with participants that there is a substantial investment of time and money on the front end, but this investment is more effective and efficient at the beginning of the process rather than the back end or having to repeat the process.

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**White House Conference on Cooperative Conservation
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Topic: Improving Certainty and Incentives for Stakeholders

Session number: 47

Afternoon

Facilitator: Catherine Barner and Dan Dozier

Location: 262

A. Major Repeated Themes Raised in the Discussion. *A grouping of ideas repeated with some frequency in the session and brought up again during the group summation process. Also includes diverging views and/or questions about the topic.*

- “It’s all about the plans for land/water use by people”.
- Education 2 tiered—curriculum level and public outreach to stakeholders.
- Management of environment needs to be sustainable economically, biologically, fiscally and socially
- Incentives mean different things to different people and all incentives can be useful.
- Better data—more transparent—data shared among stakeholders
- Getting the right parties to the table with the right attitude.
- “How” is easier to negotiate than “whether”.
- “Create mechanisms for, and honor the products of, collaboration.”
- Retain environmental process but simplify the process—proactive document that encourages landowners and other stakeholders to participate.
- Create clear and solid benchmarks to enable parties to know and meet them.
- Harmonize processes horizontally and vertically.

B. National-level Practical Actions *that could be taken by the Federal government, national NGO’s, and other national organizations. Diverging views and/or questions are also noted.*

- Need better interagency coordination both horizontally and vertically.
- Need consolidation, prioritization, adaptive management, better education.
- Accommodate local data needs and validate citizen data when appropriate
- Feds should provide more and better education to their own employees and to public.
- Government should create incentive to get the right people to the table—certainties, authorities, incentives, clear and understandable processes.
- Explore opportunities for Environmental Service Payments.
- “Call for pilot projects & support them”
- Government should be flexible, less proscriptive about achieving environmental goals.
- Federal government should use more adaptive management— and be less risk adverse

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- Understand the risks of inaction
- Federal government should not take so long to respond to requests for answers and positions
- Consider using reg neg when appropriate.

C. Local-level Practical Actions *that could be taken at the local or community level by Tribes, state and local communities, private citizens, and local organizations. Diverging views and/or questions are also noted.*

- Better interagency coordination both horizontally and vertically.
- Local governments need to participate more in stakeholder processes
- All levels of government should incorporate both local and national standards and requirements into one, understandable to the citizens, place.

D. Particularly insightful quotes from participants that capture the essence of key points made during the group's discussion.

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**White House Conference on Cooperative Conservation
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Topic: Improving Certainty and Incentives for Stakeholders

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Facilitator: Randy Moore

Afternoon

Location: 263

A. Major Repeated Themes Raised in the Discussion. *A grouping of ideas repeated with some frequency in the session and brought up again during the group summation process. Also includes diverging views and/or questions about the topic.*

- Have a clear goal and success has to be defined
- Identify and remove barriers
- Culture change – adoption of proactive cooperation policy/process
- Financial, cultural, social/emotional incentives. If you do not have solid social issues established such as trust, good faith, cooperative spirit then very difficult to get to the financial and technical incentives.
- Need active problem solving - regulators are too focused on regulation not on solving problems; the regulations don't have flexibility to change
 - i. NEPA- Cannot challenge decision, only the process arrived at to reach decision
 - ii. Need outcome based regulations
- Alternatives to litigation – get beyond litigation
- Take an ecosystem not a species by species approach
- We need sound science and to use it – also need to respect and acknowledge experiential learning
- You need consensus to reach a goal, but consensus for consensus sake is not the goal
- Fair Democratic Process: everyone needs an equal voice and transparency is fundamental
- Have to have a desire to give up something to deal with issues
- Agencies are under-funded and understaffed; get enough funding to do their jobs (ex. Staff overloaded with FWS section 7)
- Need surveys, science, data and ability to share it all
- Federal statutes need flexibility- allow innovative approaches
 - i. Adaptive management
- Need an independent mediator at stakeholder meetings
- Have to deal with basic fundamental trust issues
- Optimize success stories and how to use them in other places
- Funding to assist shared goals

B. National-level Practical Actions *that could be taken by the Federal government, national NGO's, and other national organizations. Diverging views and/or questions are also noted.*

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- Laws need to be implemented consistently (ex. ESA)
- Need transparency in monitoring that governs adaptive management
- Give regulators more flexibility – example Section 7 permit extensions.
- Sincerity and good faith are needed to create a long-term relationship
- Find alternatives to litigation
- Be proactive to change culture
- Create agency to encourage/police cooperative throughout government

C. Local-level Practical Actions *that could be taken at the local or community level by Tribes, state and local communities, private citizens, and local organizations.*

Diverging views and/or questions are also noted.

- Land owners are the ones that will protect species
- Bring science to the local level for a solution
- Financial incentives are critical
- There must be trust among all groups involved
- Incentives to ensure success
 - Reducing costs
 - Cooperative process
 - Agencies have barriers
 - Flexibility
 - Get something good out of a problem
 - To fix a problem
 - To address an impending threat

- Knowing that we were heard and what we had to say was factored (in)

D. Particularly insightful quotes from participants *that capture the essence of key points made during the group's discussion.*

- Can get more done by working together than you can by yourself.
- I feel a little like the lamb in the lion's den because I haven't seen many conservation organizations here.
- I don't want to play defense anymore, I want to play offense.
- Sound science is the common denominator for everyone.
- Science isn't the panacea because we also have the social and decision arena that is politically driven.
- Certainly certainty is uncertain.
- 2 wolves and a sheep deciding what to have for dinner is not a democracy.
- Train your people (Feds) how to deal with people and not hide behind regulations.
- We as local folks can solve this problem and want to be a part of the group and not apart from the group.
- Take away the incentive to sue, not the right to sue.
- Nature is full of surprises – no surprises policy has caused more problems and needs to focus on adaptive management.

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